



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/335,189 06/17/99 YUYAMA

H 120/P-4864

TM02/0207
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WASHINGTON DC 20006

EXAMINER

MORGAN, R

ART UNIT

PAPER NUMBER

2166

DATE MAILED: 02/07/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/335,189

Applicant(s)

YUYAMA ET AL.

Examiner

Robert W Morgan

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claims ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: .

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DETAILED ACTION

Specification

1. The disclosure is objected to because of the following informalities: page 5 line 25, "abovesaid" should read "above said".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-12 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by U.S. Patent No. 4847764 to Halvorson.

--In considering claim 1, the claimed subject matter that is met by Halvorson includes:

- 1) the claimed control unit including data storage portion and printer setting portion which performs logic operations inputting, storage and processing of patient information and drug type data, and as well outputting that information to plurality of printers is met by the central computer(10) which receives and processes information pertaining to patient data as well outputting that information to various devices in the system(see: column 3, lines 15-27);

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- 2) the claimed plurality of printers connected to the control unit which receive and output the information are met by the printer(21, column 3, lines 28-31).

--Claim 2, recites subject matter that was met in claim 1 above, as well as:

- 1) the claimed plurality of trays having the communication means are met by the plurality of dispenser(32) including communication interface in the form of computer monitor, keyboard, and printer as seen in figure 2;
- 2) the claimed communication means of the control unit is met by the communication means, which transmits data to the dispensers(see: column 3, lines 47-53).

--Claim 3 recites subject matter that was met in claim 2 above, as well as the claimed assigning of drugs to a plurality of trays is met(see: column 3, 47-63).

--Claim 4 recites subject matter that was met in claim 2 above, as well as the claimed printer order sheet containing drug indicating information is met(see: column 3, lines 51-53).

--Claim 5 recites subject matter that was met as discussed in claim 2 above, as well as the claimed identification information which transmits order data to a particular tray is met(see: column 3, line 60-63).

--Claim 6 recites subject matter that was met as discussed in claim 2 above, as well as the claimed taking guidance information is met(see: column 4, lines 56-63).

--Claim 7 recites subject matter that was met as discussed in claim 3 above, as well as the claimed assigning drugs to a plurality of trays is met(see: column 3, lines 47-63).

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--Claim 8 recites subject matter that was met as discussed in claim 3 above, as well as the claimed identification information which transmits order data to a particular tray is met(see: column 3, lines 60-63).

--Claim 9 recites subject matter that was met as discussed in claim 4 above, as well as the claimed identification information which transmits order data to a particular tray is met(see: column 3, lines 60-63).

--Claim 10 recites subject matter that was met as discussed in claim 3 above, as well as the claimed taking guidance information is met(see: column 4, lines 56-63).

--Claim 11 recites subject matter that was met as discussed in claim 4 above, as well as the claimed taking guidance information is met(see: column 4, lines 56-63).

--Claim 12 recites subject matter that was met as discussed in claim 5 above, as well as the claimed taking guidance information is met(see: column 4, lines 56-63).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

In related art Albaum et al. (5758095) describes the ordering and prescribing of drugs for patients.

In related art Brill et al. (52991221) uses a personal computer with a keyboard, monitor and disk drive to select the appropriate drugs for the patient.

In related art Garcia (5737396) provides a data system which includes an automated system that receives information from a patient to prescribes the proper drugs for that patient.

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In related art Williams et al. (5597995) provides a system for prescribing medication to a patient through data entry and patient information.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W Morgan whose telephone number is 703-305-4781.

The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R Hafiz can be reached on 703-305-9643. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-1396 for regular communications and 703-308-1396 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Robert Morgan

Robert Morgan
January 24, 2001


TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100